

ative public necessity that the Constitutional Rule requiring bills to be read on three separate days in each House be and is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Passed the House, April 18, 1949: Yeas 100, Nays 18, 1 present not voting; passed the Senate, April 21, 1949: Yeas 23, Nays 3.

Approved April 27, 1949.

Effective April 27, 1949.

H.C.R.No.178 was passed for the purpose of putting H.B.No.721 into immediate effect, but see Op.Atty.Gen.No.V-807, July 30, 1949, declaring that a concurrent resolution could not change the effective date of a statute, citing *Moshlem v. Rollins*, 70 S.W.2d 672; *Caples v. Cole*, 129 Tex. 370, 102 S.W.2d 173; *State v. Delesdenier*, 7 Tex. 70.

## BASIC SCIENCES—BOARD OF EXAMINERS—MINIMUM EDUCATIONAL STANDARDS

### CHAPTER 95<sup>79</sup>

H. B. No. 103

An Act to prescribe minimum educational standards and to establish a State Board of Examiners in the Basic Sciences; providing for its appointment and organization and defining its powers; defining the healing arts; making certification by the State Board of Examiners in the Basic Sciences a prerequisite to eligibility for examination for license to practice the healing arts; establishing eligibility requirements for certification by the Board of Examiners in the Basic Sciences; fixing fees to be paid and providing compensation and expenses of the Board of Examiners in the Basic Sciences; providing for appeals from action by the Board; defining and prohibiting fraudulent and void certificates and licenses and establishing procedures for their revocation and cancellation; providing penalties for practicing any branch of the healing art without a valid certificate from the State Board of Examiners in the Basic Sciences; providing penalties for obtaining or attempting to obtain a certificate in the basic sciences by unlawful means; providing penalties for bribing, attempting to bribe, accepting a bribe, or agreeing to accept a bribe under this law; providing methods of enforcement of this Act; enumerating exceptions and exemptions under this Act; amending Chapter 6, Title 12 of the Penal Code of Texas by adding Articles 742—a, 742—b, 742—c, 744—a and 744—b; amending Chapter 1, Title 5 of the Penal Code of Texas by adding Articles 160—a and 160—b; providing that if any section, part of a section or provision of this Act is held to be unconstitutional such holding shall not affect the validity of the remaining portions of this Act; providing for non-repeal of existing medical licensure laws; and declaring an emergency.

*Be it enacted by the Legislature of the State of Texas:*

#### Basic Science Certificate Required

Section 1. No person shall be permitted to take an examination for a license to practice the healing art or any branch thereof, or be granted any such license, unless he has presented to the Board or officer empowered to issue such a license as the applicant seeks, a certificate of proficiency in anatomy, physiology, chemistry, bacteriology, pathology, and hygiene and public health, hereinafter referred to as the basic sciences, issued by the State Board of Examiners in the Basic Sciences.

#### The Healing Art Defined

Sec. 2. For the purpose of this Act, the healing art includes any system, treatment, operation, diagnosis, prescription or practice for the ascertainment, cure, relief, palliation, adjustment or correction of any human disease, ailment, deformity, injury or unhealthy or abnormal physical or mental condition.

<sup>79</sup> Vernon's Ann.Civ.St. art. 4590a.

**Board of Examiners**

Sec. 3. The Governor, within thirty (30) days after this Act takes effect, shall appoint a State Board of Examiners in the Basic Sciences, hereinafter referred to as the Board, consisting of six (6) members. The said Board shall be appointed subject to the consent and confirmation of the Senate. Of the members first appointed, two (2) shall serve for a term of two (2) years, or until their successors shall be appointed and qualified; two (2) shall serve for a term of four (4) years, or until their successors shall be appointed and qualified; and the remaining two (2) members shall serve for a term of six (6) years, or until their successors shall be appointed and qualified. Thereafter at the expiration of the term of each member of the Board first appointed, his successor shall be appointed by the Governor for, and shall serve for, a term of six (6) years, or until his successor shall be appointed and qualified. On the death, resignation or removal of any member, the Governor shall fill the vacancy by appointment for the unexpired portion of the term. Every member shall serve until his successor is appointed and qualified. The members of the Board shall be selected because of their knowledge of the basic sciences named in this Act, and each member shall be a professor, or an assistant or associate professor or an instructor on the faculty of the University of Texas, the Agricultural and Mechanical College of Texas, the Texas Technological College, Baylor University, Southern Methodist University, Texas Christian University, St. Edwards University, Rice Institute, Southwestern University, or any other institution or college located within the State of Texas of equal academic standing and facilities for instruction. Each member shall have resided in the State of Texas not less than one (1) year next preceding his appointment. No member of the Board shall be actively engaged in the practice of the healing art or any branch thereof, nor possess or have in the past possessed a license to practice the healing art or any branch thereof, nor be employed or having in the past been employed by any medical branch of any school or college.

**Organization, Officers and Compensation of Board**

Sec. 4. The Board shall organize as soon as practicable after its appointment. It shall have authority to elect officers, to adopt a seal, and to make such rules and regulations, not inconsistent with the law, as it deems expedient to carry this Act into effect. The Board shall keep a record of its proceedings, which shall be prima-facie evidence of all matters contained therein. Each member of the Board shall take the Constitutional Oath of office.

Each member of the Board shall be paid Ten Dollars (\$10) per day for each day actively engaged in the discharge of his duties, and the time spent in going to and returning from meetings of the Board shall be included in computing such time. In addition to this per diem, each member of the Board shall receive expenses incurred while actually engaged in the performance of the duties of the Board. The Secretary and Treasurer shall each be required to execute a bond in the sum of Ten Thousand Dollars (\$10,000) for the faithful performance of his duties, payable to the State of Texas. The premium of such bonds shall be paid out of fees received. The office of the Board shall be in the State Capitol, and quarters for that office shall be assigned by the State Board of Control in the Capitol building, or some other building occupied by the State Government, where its permanent records shall be kept.

**Fees Payable by Applicants**

Sec. 5. The fee for examination by the Board shall be Fifteen Dollars (\$15). The fee for re-examination within a twelve-month period shall be

Ten Dollars (\$10), but the fee for re-examination after the expiration of twelve (12) months shall be the same as the original fee. The fee for the issue of a certificate by authority of reciprocity, on the basis of qualifications as determined by the proper agency of some other State, Territory, or the District of Columbia shall be Twenty-five Dollars (\$25). All fees shall be paid to the Board by the applicant when he files his application. The Board shall pay all money received as fees into the State Treasury, where such money will be placed in a special fund to be known as "The Basic Science Examination Fund." All money so received and placed in such fund shall be used by the Board of Examiners in the Basic Sciences in paying its compensation and defraying its expenses, and in administering, enforcing and carrying out the provisions of the law. The Board may hire such employees as are necessary in carrying out the provisions of this law. The State Treasurer shall pay out of the fund the compensation of and expenses incurred by the Board on warrants based upon vouchers signed by the President and the Secretary of the Board.

#### Examination

Sec. 6. The Board shall conduct examinations at such times and places as it deems best, provided, however, that the first examination shall be held within six (6) months from the effective date of this Act, and one examination shall be held during each period of six (6) months thereafter. Every applicant, except as hereinafter provided, shall be examined to determine his knowledge, ability and skill in the basic sciences. The examinations shall be conducted in writing, and in such manner as to be entirely fair and impartial to all individuals and to every school or system of practice. All applicants shall be known to the examiners only by numbers, without names, or other method of identification on examination papers by which members of the Board may be able to identify such applicants or examinees, until after the general averages of the examinees' numbers in the class have been determined, and license granted or refused. If the applicant receives a credit of seventy-five per cent (75%) or more in each of the basic sciences, he shall be considered as having passed the examination. If the applicant receives less than seventy-five per cent (75%) in one subject and receives seventy-five per cent (75%) or more in each of the remaining subjects, he shall be allowed a re-examination at the examination next ensuing, on application and the payment of the prescribed fee, and he shall be required to be re-examined only in the subject in which he received a rating less than seventy-five per cent (75%). If the applicant receives less than seventy-five per cent (75%) in more than one subject, he shall be entitled to take a second examination after a period of six (6) months has elapsed from the date of the first examination, and he shall then be re-examined in all subjects. If the applicant receives less than seventy-five per cent (75%) in more than one subject on such second examination, he shall not be re-examined unless he presents proof, satisfactory to the Board, of additional study in the basic sciences sufficient to justify re-examination, and shall then be re-examined in all subjects. Provided, however, it is the intent of this Act that the examinations given shall be similar to the examinations given in the subjects named in this Act at the colleges or universities named above.

#### Requirements for Certificate

Sec. 7. No certificate shall be issued by the Board unless the person applying for it submits evidence, satisfactory to the Board, (1) that he is a citizen of the United States; (2) that he is not less than nineteen (19) years of age; (3) that he is a person of good moral character; (4) that he

was graduated by a high school accredited by the State Committee on Classified and Accredited Schools, or a school of equal grade, or that he possesses educational qualifications equivalent to those required for graduation by such an accredited high school; (5) he must have completed sixty (60) semester hours of college courses which would be acceptable at the time of completing same at The University of Texas on a Bachelor of Arts Degree or a Bachelor of Science Degree; and (6) that he has a comprehensive knowledge of the basic sciences as shown by his passing the examination given by the Board as by this Act required. This shall not be construed to prevent the issue of certificates under the provisions of Section 8 of this Act.

#### Reciprocity

Sec. 8. The Board may in its discretion waive the examination required by Section 7, when proof satisfactory to the Board is submitted, showing (1) that the applicant has passed in another State, Territory, or the District of Columbia an examination in the basic sciences before a Board of Examiners in the Basic Sciences; (2) that the requirements of that State, Territory, or District of Columbia are not less than those required by this Act as a condition precedent to the issue of a certificate; (3) that the Board of Examiners in the Basic Sciences in that State, Territory, or District of Columbia grants like exemption from examination in the basic sciences to persons holding certificates from the State Board of Examiners in the Basic Sciences in Texas; (4) that the applicant show satisfactory proof that he is a citizen of the United States; and (5) that the applicant is a person of good moral character and the holder of an uncancelled basic science certificate from another State, Territory, or the District of Columbia.

#### Appeal

Sec. 9. Any person aggrieved by any action of the Board may appeal to a district Court of any county in which the aggrieved person resides. Such appeals shall be taken by serving the Secretary of the Board with citation duly issued by the clerk of the district Court, and the same shall be served in the manner provided by law in the service of citations in suits of a civil nature, and at the expiration of twenty (20) days after the service of said citation, the said cause shall thereupon stand for trial. Such notice of appeal, or citation shall state the action from which the appeal is taken, and, if the appeal is from an order of the Board, stating such order or the part thereof from which the appeal is taken, and filing with the district clerk a bond in the sum of Five Hundred Dollars (\$500), conditioned for the payment of all costs of the appeal. All members of the Board who shall incur any expense on account of the trial of any proceeding in district Court incident to appeal from actions of the Board, shall receive the necessary and proper expenses, including traveling expenses incident thereto, same to be paid out of the funds of the Board in the same manner and by the same proceeding as other expenditures are authorized from said fund.

#### Certificates and Licenses Void

Sec. 10. Any basic science certificate or any license to practice the healing art, or any branch thereof, issued contrary to this Act, shall be void. Any license or certificate of authority to practice the healing arts, or any branch thereof, based upon a void basic science certificate shall be void and shall be so adjudged by any District Court in which the trial of a suit to adjudge the same void or cancel or revoke a license to practice the healing arts may be had. The procedure for such revoca-

tion or cancellation shall be in accordance with the provisions of the Act under which such license was issued authorizing the cancellation or revocation of licenses for the practice of the healing art generally. Any certificate of proficiency issued by the Board shall become void upon the revocation of the license of the holder thereof to practice the healing art, or any branch thereof.

**Practice without Certificate Forbidden**

Sec. 11. Any person who practices the healing art, or any branch thereof, without having obtained a valid certificate from the State Board of Examiners in the Basic Sciences, except as otherwise authorized by this Act, shall be fined not less than Fifty Dollars (\$50), nor more than Five Hundred Dollars (\$500), or by imprisonment in the county jail for not more than thirty (30) days, or by both such fine and imprisonment. Each day of such violation shall constitute a separate offense.

**Fraudulent Certificate Forbidden**

Sec. 12. Any person who obtains a basic science certificate by fraudulent means, or who forges, counterfeits or fraudulently alters any such certificate, shall be punished by confinement in the penitentiary for not less than two (2) nor more than five (5) years.

**Bribery Forbidden**

Sec. 13. Any person who shall bribe or offer to bribe any member of the Basic Science Board authorized to issue a certificate of proficiency in the basic sciences, for the purpose of obtaining a certificate of proficiency in the basic sciences, shall be confined in the penitentiary not less than two (2) nor more than five (5) years.

**Fraudulent Licenses Forbidden**

Sec. 14. Any person who knowingly obtains for himself a license to practice the healing art, or any branch thereof, or who aids, advises or assists another in so doing without first obtaining a certificate of proficiency from the Basic Science Board created hereby, or any person who shall present to a licensing board authorized to grant licenses to practice the healing art, or any branch thereof, a certificate obtained from the State Board of Examiners in the Basic Sciences by dishonesty or fraud or by any forged or counterfeit certificate of proficiency, or who knowingly aids, advises or assists another in so doing, shall be guilty of a felony, and upon conviction shall be punished by a fine of not less than One Hundred Dollars (\$100) nor more than Two Thousand Dollars (\$2,000), or imprisonment in the penitentiary for not less than two (2) nor more than five (5) years, or by both such fine and imprisonment.

**Enforcement**

Sec. 15. It shall be the duty of every District Judge in this State, who is required by law to impanel grand juries, to explain to each grand jury the provisions of this Act, and to direct the said grand jury to inquire as to whether or not any provisions of this Act have been violated, and if sufficient evidence has been discovered, to return true bills of indictment.

In the enforcement of this law, the Board shall be represented by the Attorney General and by the County and District Attorneys of this State. The Board, any committee or any member thereof, shall have the power

to issue subpoenas and subpoenas duces tecum to compel the attendance of witnesses and the production of books, records and documents, to administer oaths and to take testimony concerning all matters within its or his jurisdiction. The Board shall have the right to institute an action in its own name to enjoin the violation of any of the provisions of this Act. Said action for an injunction shall be in addition to any other action, proceeding or remedy authorized by law.

#### Exceptions

Sec. 16. The provisions of this Act do not apply to dentists, duly qualified and registered under the laws of this State, who confine their practice strictly to dentistry, or those persons under the jurisdiction of the Texas State Board of Dental Examiners; nor to duly licensed optometrists who confine their practice strictly to optometry as defined by Statute; nor to nurses who practice nursing only; nor to duly licensed chiropodists, who confine their practice strictly to chiropody as defined by Statute; nor to masseurs in their particular sphere of labor; nor to commissioned or contract Surgeons of the United States Army, Navy or Public Health and Marine Hospital Service, in the performance of their duties, and not engaged in private practice; nor legally qualified physicians of other States called in consultation, but who have no office in Texas, and appoint no place in this State for seeing, examining or treating patients. The Basic Science Law shall not affect or limit in any way the application or use of the principles, tenets or teachings of any church in the ministration to the sick or suffering by prayer, without the use of any drug or material remedy, provided sanitary and quarantine laws and regulations are complied with, and provided further that all those so ministering or offering to minister to the sick or suffering by prayer shall refrain from maintaining office, except for the purpose of exercising the principles, tenets or teachings of the church of which they are bona fide members; nor shall the Basic Science Law apply to persons licensed to practice the healing art, or any branch thereof, in the State of Texas when this Act shall take full force and effect; nor shall the Basic Science Law apply to any Chiropractor who is a graduate of a school which was regularly organized and conducted as a chiropractic school in the United States at the time of such graduation and who has practiced Chiropractic one (1) year immediately preceding the effective date of this Act and who has resided in Texas for two (2) years immediately preceding the effective date of this Act and who has never had a license to practice any branch of the healing art cancelled by any American or Canadian State, Province or Territory, provided, however, that licenses voided by virtue of the decision in *Ex Parte Halsted*, 182 S.W. (2nd) 479, shall not be construed as licenses cancelled as provided by this Section.

Sec. 16-a. The Board shall issue a certificate of proficiency to any person who is otherwise qualified by law and who shall present to the Board, a transcript of credits certifying that such person has satisfactorily completed sixty (60) or more semester hours of college credits at a college or university which issues credits acceptable by The University of Texas leading toward a Bachelor of Arts or a Bachelor of Science Degree; said college or university credits shall include the satisfactory completion of all of the subjects enumerated in Section 1 of this Act with an average of seventy-five per cent (75%) or better in each of such courses; and The University of Texas shall offer at the Main University, at Austin, Texas, beginning with the fall semester 1949, courses in each of the above-enumerated subjects.

Sec. 17. Chapter 6, Title 12, of the Penal Code of this State shall be amended<sup>80</sup> by adding thereto the following, to be known as Article 742—a:

"Article 742—a. The Healing Art Defined.

"The healing art includes any system, treatment, operation, diagnosis, prescription or practice for the ascertainment, cure, relief, palliation, adjustment or correction of any human disease, ailment, deformity, injury or unhealthy or abnormal physical or mental condition."

Sec. 18. Chapter 6, Title 12 of the Penal Code of this State shall be amended<sup>81</sup> by adding thereto the following, to be known as Article 742—b:

"Article 742—b. Exceptions.

The provisions of the Basic Science Law do not apply to dentists, duly qualified and registered under the laws of this State, who confine their practice strictly to dentistry, or those persons under the jurisdiction of the Texas State Board of Dental Examiners; nor to duly licensed optometrists, who confine their practice strictly to optometry as defined by Statute; nor to nurses who practice nursing only; nor to duly licensed chiropodists, who confine their practice strictly to chiropody as defined by Statute; nor to masseurs in their particular sphere of labor; nor to commissioned or contract Surgeons of the United States Army, Navy or Public Health and Marine Hospital Service, in the performance of their duties, and not engaged in private practice; nor to legally qualified physicians of other States called in consultation, but who have no office in Texas and appoint no place in this State for seeing, examining or treating patients. The Basic Science Law shall not affect or limit in any way the application or uses of the principles, tenets, or teachings of any church in the ministration to the sick or suffering by prayer, without the use of any drug or material remedy, provided sanitary and quarantine laws and regulations are complied with; and provided further that all those so ministering or offering to minister to the sick or suffering by prayer shall refrain from maintaining offices, except for the purpose of exercising the principles, tenets, or teachings of the church of which they are bona fide members, nor shall the Basic Science Law apply to persons licensed to practice the healing art, or any branch thereof, in the State of Texas when this Act shall take full force and effect; nor shall the Basic Science Law apply to any Chiropractor who is a graduate of a school which was regularly organized and conducted as a chiropractic school in the United States at the time of such graduation and who has practiced Chiropractic one (1) year immediately preceding the effective date of this Act and who has resided in Texas for two (2) years immediately preceding the effective date of this Act and who has never had a license to practice any branch of the healing art cancelled by any American or Canadian State, Province, or Territory, provided however, that licenses voided by virtue of the decision in *Ex Parte: Halsted*, 182 S.W. (2nd) 479, shall not be construed as licenses cancelled as provided by this Section."

Sec. 19. Chapter 6, Title 12, of the Penal Code of Texas shall be amended<sup>82</sup> by adding thereto the following, to be known as Article 742—c:

"Article 742—c. Unlawfully Practicing Healing Art; Penalty.

"Any person who practices the healing art, or any branch thereof, without having obtained a valid certificate from the State Board of Examiners in the Basic Sciences, except as otherwise authorized by this

<sup>80</sup> Vernon's Ann.P.C. art. 742—a.

<sup>81</sup> Vernon's Ann.P.C. art. 742—b.

<sup>82</sup> Vernon's Ann.P.C. art. 742—c.

Act, shall be fined not less than Fifty Dollars (\$50), nor more than Five Hundred Dollars (\$500), or by imprisonment in the county jail for not more than thirty (30) days, or by both such fine and imprisonment. Each day of such violation shall constitute a separate offense."

Sec. 20. Chapter 6, Title 12, of the Penal Code of this State shall be amended<sup>83</sup> by adding thereto the following, to be known as Article 744—a:

"Article 744—a. Obtaining Basic Science Certificate by Fraud, Forgery or Counterfeit; Penalty.

"Any person who obtains a basic science certificate by fraudulent means, or who forges, counterfeits or fraudulently alters any such certificate, shall be punished by confinement in the penitentiary not less than two (2) nor more than five (5) years."

Sec. 21. Chapter 6, Title 12, of the Penal Code of this State shall be amended<sup>84</sup> by adding thereto the following to be known as Article 744—b:

"Article 744—b. Valid Basic Science Certificate Prerequisite to License to Practice Healing Art.

"Any person who knowingly obtains for himself a license to practice the healing art, or any branch thereof, or who aids, advises or assists another in so doing without first obtaining a certificate of proficiency from the Basic Science Board, or any person who shall present to a licensing board authorized to grant licenses to practice the healing art, or any branch thereof, a certificate obtained from the State Board of Examiners in the Basic Sciences by dishonesty or fraud or by any forged or counterfeit certificate of proficiency, or who knowingly aids, advises or assists another in so doing, shall be guilty of a felony and upon conviction shall be punished by fine of not less than One Hundred Dollars (\$100) nor more than Two Thousand Dollars (\$2,000), or imprisonment in the penitentiary for not less than two (2) nor more than five (5) years, or by both such fine and imprisonment."

Sec. 22. Chapter 1, Title 5, of the Penal Code of this State shall be amended<sup>85</sup> by adding thereto the following, to be known as Article 160—a:

"Article 160—a. Bribery of Basic Science Board.

"Any person who shall bribe or offer to bribe any member of the Basic Science Board authorized to issue a certificate of proficiency in the basic sciences, for the purpose of obtaining a certificate of proficiency in the basic sciences shall be confined in the penitentiary not less than two (2) nor more than five (5) years."

Sec. 23. Chapter 1, Title 5, of the Penal Code of this State shall be amended<sup>86</sup> by adding thereto the following, to be known as Article 160—b:

"Article 160—b. Acceptance of Bribe by Basic Science Board.

"Any member of the Basic Science Board who shall accept a bribe or consent to accept a bribe under an agreement or with an understanding that he will aid any person in obtaining a certificate of proficiency in the basic sciences in return for the bribe given or promised, shall be confined in the penitentiary not less than two (2) nor more than five (5) years."

#### Saving Clause

Sec. 24. That in the event any section or part of section or provision of this Act be held invalid, unconstitutional, or inoperative this shall not

<sup>83</sup> Vernon's Ann.P.C. art. 744—a.

<sup>84</sup> Vernon's Ann.P.C. art. 744—b.

<sup>85</sup> Vernon's Ann.P.C. art. 160—a.

<sup>86</sup> Vernon's Ann.P.C. art. 160—b.

affect the validity of the remaining sections, or parts of sections of the Act, but the remainder of the Act shall be given effect as if said invalid, unconstitutional, or inoperative section, or any part of section or provision, had not been included. In the event any penalty, right, or remedy created or given in any section or part of this Act is held invalid, unconstitutional or inoperative, this shall not affect the validity of any other penalty, right or remedy created or given by either the whole Act, or in the section thereof containing such invalid, unconstitutional, or inoperative part; and if any exception to, or any limitation upon, any general provision herein contained shall be held to be unconstitutional or invalid, the general provision shall, nevertheless, stand effective and valid, as if the same had been enacted without such limitation or exceptions.

#### **Present Licensure Acts Not Repealed**

Sec. 25. No provisions of this Act shall be construed as repealing any statutory provision in force at the time of its passage with reference to the requirements governing the issuance of licenses to practice the healing art, or any branch thereof, or as in any way lessening such requirements.

#### **Emergency**

Sec. 26. The importance to the public of the provisions of this Act and the necessity for further safeguarding the granting of licenses to persons practicing the healing arts contained in this Act, create an emergency and an imperative public necessity demanding the suspension of the Constitutional Rule requiring bills to be read on three several days in each House, and the same is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Passed the House, March 14, 1949: Yeas 93, Nays 43, 2 present not voting; House concurred in Senate amendments, April 25, 1949: Yeas 113, Nays 8, 3 present not voting; passed the Senate, as amended, April 21, 1949: Yeas 23, Nays 3.

Approved April 28, 1949.

Effective April 28, 1949.

### **DISTRICT COURT AND CRIMINAL DISTRICT COURT JUDGES— SALARIES**

#### **CHAPTER 96 <sup>87</sup>**

H. B. No. 334

An Act providing for the fixing of compensation of Judges of District Courts and Criminal District Courts in counties having eight (8) or more District Courts; providing the manner of payment thereof; providing that Article 5139, Revised Civil Statutes of Texas of 1925 (as amended by the Acts of 1945, Chapter 268, p. 422, Regular Session Laws of the Forty-ninth Legislature), or Article 5142-A, Section 1-a, Revised Civil Statutes (same being Section 1-a of the Acts of 1935, Forty-fourth Legislature, Regular Session, Chapter 156, p. 401) or Article 6819a-3, Revised Civil Statutes, (same being Chapter 200, p. 271 of the Acts of 1945, Forty-ninth Legislature, Regular Session) shall not be repealed; prohibiting, however, the payment of salaries under said three Articles for any month where the salaries herein provided are paid; providing for validity of remaining

<sup>87</sup> Vernon's Ann.Civ.St. art. 6819a—5.